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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67231

Tomohiro NAKATA, et al.

Appln. No.: 10/014,516

Group Art Unit: 3654

Confirmation No.: 3587

Examiner: Sang K. KIM

Filed: December 14, 2001

For: METHOD OF AND APPARATUS FOR WINDING WEB

PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT UNDER

37 C.F.R. § 1.181

MAIL STOP PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of applicant, in accordance with the requirements of 37 C.F.R. § 1.181 and MPEP §711.03(c)(I), hereby petitions the Commissioner requesting withdrawal of the holding of abandonment of the above identified application. The application was abandoned for allegedly not responding to the Office Action dated May 12, 2005.

However, an Amendment under 37 C.F.R. § 1.111 was timely filed on August 11, 2005.

Submitted herewith are the following documents:

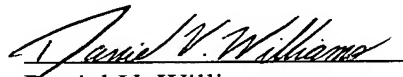
1. Copy of the Amendment Under 37 C.F.R. §1.111 filed August 11, 2005.
2. Copy of a date stamped filing receipt acknowledging filed Amendment of August 11, 2005.
3. Copy of the Notice of Abandonment mailed December 13, 2005.

Petition For Withdrawal of Holding of Abandonment
U.S. Application No. 10/014,516
Attorney Docket No. Q67231

In view of the above it is respectfully submitted that the application should not have been abandoned and the Commissioner is petitioned to withdraw the holding of abandonment.

It is believed that no fee is due. However, the USPTO is directed and authorized to charge all required fees to Deposit Account No. 19-4880. If it is deemed that this Petition should have been filed as a Petition under 37 C.F.R. § 1.137, then the USPTO is requested to treat this Petition as such and charge the requisite fees to the above Deposit Account. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,


Daniel V. Williams
Registration No. 45,221

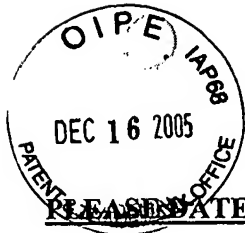
SUGHRUE MION, PLLC
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 16, 2005



FILING RECEIPT

PLEASE DATE STAMP AND RETURN TO US - BOX 235X

22

In re application of

Tomohiro NAKATA, et al.

Appln. No.: 10/014,516

Confirmation No.: 3587

Filed: December 14, 2001

For: METHOD OF AND APPARATUS FOR WINDING WEB

PAPER(S) FILED ENTITLED:

1. Amendment Under 37 C.F.R. §1.111
2. Request for Refund (in duplicate)

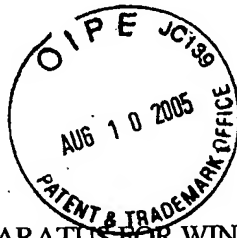
SUGHRUE MION, PLLC
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DOCKET NO.: Q67231
ATTORNEY/SEC: PFN/DVW/ms
Date Filed: August 11, 2005

WASHINGTON OFFICE

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CUSTOMER NUMBER





PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67231

Tomohiro NAKATA, et al.

Appln. No.: 10/014,516

FILED
AUG 11 2005

Group Art Unit: 3654

Confirmation No.: 3587

Examiner: Sang K. KIM

Filed: December 14, 2001

For: METHOD OF AND APPARATUS FOR WINDING WEB

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 12, 2005, please amend the above-identified application as follows on the accompanying pages.

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (previously presented): A method of winding a web around a core at a high speed, comprising the steps of:

winding the web to a given length around the core under a low tension, then progressively increasing the tension of the web at a gradual predetermined rate until reaching a high tension, and thereafter winding the web under a tension which is being reduced from the high tension.

2. (previously presented): The method according to claim 1, wherein said given length to which the web is wound around the core under the low tension is longer if the core is longer and shorter if the core is shorter.

3. (previously presented): The method according to claim 1, wherein said given length to which the web is wound around the core under the low tension is set to a value up to 15 % of the length to which the web is to be wound.

4. (previously presented): A method of winding a web around a core at a high speed, comprising the steps of:

winding the web to a given length, which corresponds to the length of the core, around the core under a low tension, then gradually increasing the tension of the web to a high

tension, and thereafter winding the web under a tension which is being reduced from the high tension.

5. (previously presented): The method according to claim 4, wherein said given length to which the web is wound around the core under the low tension is longer if the core is longer and shorter if the core is shorter.

6. (previously presented): The method according to claim 4, wherein said given length to which the web is wound around the core under the low tension is set to a value up to 15 % of the length to which the web is to be wound.

7-8. (canceled).

9. (previously presented): An apparatus for winding a web around a core at a high speed, comprising:

winding tension storing means for storing a winding tension corresponding to the length to which the web is wound around the core;

torque converting means for reading said winding tension from said winding tension storing means and converting the read winding tension into a winding torque; and

core rotation control means for controlling rotation of the core according to said winding torque;

said winding tension being set so as to wind the web to a given length around the core under a low tension, then progressively increase the tension of the web at a predetermined gradual rate until reaching a high tension, and thereafter wind the web under a tension which is being reduced from the high tension.

10. (previously presented): The apparatus according to claim 9, including simultaneously winding a plurality of webs around respective cores, wherein said winding tension storage means comprises means for storing winding tensions of the respective webs, and said core rotation control means comprises means for independently controlling rotation of the cores respectively according to said winding torques corresponding to said winding tensions.

11. (previously presented): An apparatus for winding a web around a core at a high speed, comprising:

winding tension storing means for storing a winding tension corresponding to the length to which the web is wound around the core;

torque converting means for reading said winding tension from said winding tension storing means and converting the read winding tension into a winding torque; and

core rotation control means for controlling rotation of the core according to said winding torque;

said winding tension being set so as to wind the web to a given length, which corresponds to the length of the core, around the core under a low tension, then gradually increase the tension of the web to a high tension, and thereafter wind the web under a tension which is being reduced from the high tension.

12. (previously presented): The apparatus according to claim 11, including simultaneously winding a plurality of webs around respective cores, wherein said winding tension storing means comprises means for storing winding tensions of the respective webs, and said core rotation control means comprises means for independently controlling rotation of the cores respectively according to said winding torques corresponding to said winding tensions.

13-17. (canceled).

18. (new): The method according to claim 1, wherein the progressively increasing of the tension at the gradual predetermined rate is done by increasing a winding speed of the web.

19. (new): The method according to claim 4, wherein the gradually increasing of the tension is done by increasing a winding speed of the web.

20. (new): The apparatus according to claim 9, wherein a winding speed of the web is increased during a period that the tension of said web is progressively increased to said high tension.

21. (new): The apparatus according to claim 11, wherein a winding speed of the web is increased during a period that the tension of said web is gradually increased to said high tension.

REMARKS

Claims 1-6 and 9-12 are pending in the application. Claims 7, 8 and 13-17 are withdrawn from consideration and are hereby cancelled. Claims 1-6 and 9-12 are rejected.

35 U.S.C. § 103:

Claims 1-6 and 9-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamauchi et al. (U.S. Patent 4,880,175 [hereinafter "Yamauchi"]) in view of Kataoka (U.S. Patent 4,238,084).

Method claims 1 and 4 are directed to winding a web around a core at a high speed. A feature of claims 1 and 4 is that the web is wound under a low tension, then the tension is gradually increased to a high tension and, thereafter, the web is wound under a tension which is reduced from the high tension. Independent claims 9 and 11 are drawn to an apparatus for winding a web around a core and include features similar to claims 1 and 4 in regard to the web tension.

Applicant points out that Figure 16 of Yamauchi shows tension that is increased from T0 to T1, gradually increased from T1 to T3, and then decreased from T3 to T5. In contrast, in an exemplary embodiment of the present invention, as shown in the lower portion of Fig. 3, the tension is constant at a low level until T4. The tension is increased from T4 to T5, and then decreased from T5 to T9. Accordingly, the way in which the tension changes in Yamauchi differs from that of the present invention.

Moreover, Applicant respectfully submits that the relied on graph of Yamauchi (i.e., Figure 16) that represents yarn tension, along with Figs. 17 and 18, which respectively illustrate a nipping force and yarn speed, are specifically directed to the way that "yarn" is removed from a

feed bobbin. In particular, the yarn is removed in a direction which is substantially parallel to an axial direction of the feed bobbin, as shown in Figure 7 of Yamauchi. As noted in col. 9, lines 60-68 of Yamauchi, when the yarn is released from the bobbin, the yarn will have a particular tension which, for example, tends to "abruptly increase" when reaching a final point.

With this in mind, Applicant points out to the Examiner that if one were to utilize the applied "sheets" of Kataoka (which are different from yarn) in the device of Yamauchi, the sheets would not necessarily have the same tension characteristics as the yarn. Further, the sheets of Kataoka would presumably not be wound around the 102 bobbin and removed along an axial direction in the same manner as the yarn shown in Fig. 7 of Yamauchi.

Accordingly, Applicant submits that the references do not provide the requisite teaching to suggest that if the device of Yamauchi were used to wind a "sheet," as opposed to "yarn," similar results would be obtained. This is because Yamauchi is disclosed as being particularly used for yarn, and there is no teaching or suggestion that would have led one to believe that such tension aspects would also be found when unwinding a "sheet" from a roll, as would be appreciated by one skilled in the art.

Thus, Applicant believes that the Examiner will appreciate that the combination of Yamauchi and Kataoka would not have taught or suggested each feature found in independent claims 1, 4, 11 and 9, such that the rejection thereof under 35 U.S.C. §103(a) should be withdrawn. The rejection of dependent claims 2, 3, 5, 6, 10 and 12 should also be withdrawn at least by virtue of their respective dependencies upon the independent claims.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/014,516

Attorney Docket No.: Q67231

NEW CLAIMS:

Applicant adds new claims 18-21 to further define that the tension is increased by increasing a winding speed of the web. New claims 18-21 are readable on the elected species and are not taught or suggested by the applied references. For example, as shown in Fig. 16 of Yamauchi, the Examiner relies on section T1-T3 to represent a period of increased tension. However, as shown in Fig. 18 of Yamauchi, the speed of the yarn in section T1-T3 is not increased. On the contrary, the speed is maintained constant throughout section T1-T3.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

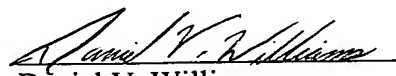
Respectfully submitted,

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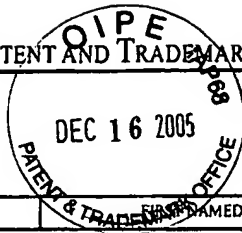
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Daniel V. Williams
Registration No. 45,221

Date: August 11, 2005



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APPLICATION NO.	FILING DATE	INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,516	12/14/2001	Tomohiro Nakata	Q67231	3587

7590 12/13/2005
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EXAMINER

KIM, SANG K

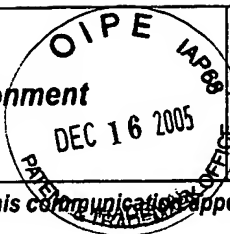
ART UNIT PAPER NUMBER

3654

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment



Application No.	Applicant(s)	
10/014,516	NAKATA ET AL.	
Examiner	Art Unit	
SANG KIM	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12 May 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Kathy Matecki

KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.